

SUBSTANTIATION OF CHILD ABUSE AND NEGLECT
APPEAL RIGHTS

Substantiated finding of child abuse and neglect in accordance with Code of Maine Rules 10-148 Chapter 201 Sections XIV. and XV. Process and procedures set forth in 10-148 Ch. 201.

Request for Appeal:

- You have the right to request an appeal if you have not requested/received an appeal previously.
- A request for an appeal **must** be sent within 30 days of receiving notice of the finding.
- Exceptions to the 30-day requirement are limited to certain circumstances where the finding was made before 11/1/03 (see page 19 of the rules, Section XIV(B) and findings which qualify for reconsideration under Section XV of the rules (page 20).
- A substantiated individual who is eligible for an appeal should submit any information they wish the reviewer to have as they consider whether or not the finding was founded.
- The appeals process has two stages, first is a paper review where a specialized Department employee reviews all of the Department's records regarding the finding along with anything submitted by the appellant and makes a determination as to whether the finding is upheld or overturned.
- If the finding is upheld the appellant has the right to request a hearing.

This rule may be viewed in its entirety at <https://www.maine.gov/sos/cec/rules/10/chaps10.htm>

If you believe you are eligible for an appeal of this disqualifying offense, please complete Steps 1-3.

- 1.) You or an attorney, if you chose to get one, must first write a letter to us to ask for a "paper review". You may use the attached form.
- 2.) In that letter you may give any information that you think could help your case. That new information will be considered when your substantiation is reviewed. You may provide written statements from others who may know about the facts of this substantiation.
- 3.) Send your letter (or the attached form) to:

Substantiation Reviews
Department of Health and Human Services
11 State House Station
Augusta ME 04333-0011